

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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DERRICK WHEATT, et al.,	:	CASE NOS. 1:17-CV-377 & 1:17-CV-611 (consolidated)
Plaintiffs,	:	
vs.	:	OPINION & ORDER
CITY OF EAST CLEVELAND, et al.,	:	[Resolving Docs. <a href="#">364</a> , <a href="#">385</a> , <a href="#">387</a> ]
Defendants.	:	
	:	

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JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On August 29, 2019, the Court held Plaintiffs' motion for judgment on their indemnification claim in abeyance pending the Ohio Supreme Court's resolution of *Ayers v. City of Cleveland*.<sup>1</sup> The Court instructed that Plaintiffs could renew their argument once *Ayers* is decided. Accordingly, there has been no final judgment in this case.

Because there has been no final judgment, the Court hereby denies three of Defendants' motions as premature. See Doc. [364](#) (motion to stay execution of judgment); Doc. [385](#) (motion to stay debt collection proceedings); Doc. [387](#) (motion to waive bond). Defendants may renew these motions once the court renders final judgment in this case.

IT IS SO ORDERED

Dated: August 29, 2019

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> No. 2018-0852. Oral Argument in *Ayers* was held on January 12, 2019; the Ohio Supreme Court has yet to decide the case. See docket, available at: <http://www.supremecourt.ohio.gov/Clerk/ecms/#/caseinfo/2018/0852>.